

SENATE BILL 2248

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 1, Part 9 and Title 63, Chapter 7, Part 1,
relative to administration of medication.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1 Tennessee Code Annotated, Section 68-1-904 (c) is amended by deleting subdivision (1) and substituting instead the following language:

(c)(1) The department of finance and administration, division of mental retardation services, and the department of children's services, may, based upon its determination of available resources and need, provide training for unlicensed individuals who administer medications to individuals incapable of self-administration. The training shall be provided only to unlicensed individuals who are employed by agencies that are both licensed under title 37, or agencies under contract with the department of children's services to provide residential programs for children and youth, and licensed under title 33 and under contract to provide residential or adult day programs for persons with mental retardation, and to unlicensed individuals employed by community-based licensed intermediate care facilities for the mentally retarded who will administer medication only at a location other than the community-based licensed intermediate care facilities. The employees of the community-based intermediate care facilities for the mentally retarded may additionally receive medication administration training specific to the person served. For the purposes of this subsection (c), when administered by employees of intermediate care facilities, medications shall be packaged in individual doses labeled with the name of the individual patient, at time of administration and the drug name and dosage.

Section 2. Tennessee Code Annotated, Section 63-7-102 is amended by deleting subsection (10) and substituting instead the following language:

(10) Persons trained according to in accordance with § 68-1-904(c), who are employed by agencies that are both licensed under title 37, or agencies under contract with the department of children's services to provide residential programs for children and youth, licensed under title 33 and under contract to provide residential or adult day programs for person with mental retardation and persons trained in accordance with § 68-1-904(c), who are employed by the community-based licensed intermediate care facilities for the mentally retarded who will administer medication only at a location other than the community-based facility. The employees of the community-based licensed intermediate care facilities for the mentally retarded may additionally receive medication administration training specific to the person served. For the purposes of this subdivision (10), when administered by employees of the intermediate care facilities, medications shall be packaged in individual doses labeled with the name of the individual patient, the time of administration and the drug name and dosage. Persons trained according to standards set by the department of children's services to assist children and youth with the self-administration of non-injectable medication in programs or facilities with which the department either licenses under title 37 or contracts.

Section 3. This act shall take effect on July 1, 2007, the public welfare requiring it